

July 28, 2009

VIA ELECTRONIC FILING

Honorable Roslyn R. Mauskopf
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Web Tracking Solutions, LLC and Daniel Wexler v. Google Inc.*, No. 1:08-cv-03139

Your Honor:

The parties submit this joint letter regarding the procedure for construction of the patent terms at issue in the above-referenced case.

Subject to Your Honor's approval, the parties have agreed to a procedure under which Magistrate Judge Reyes will conduct the Markman hearing and issue a report and recommendation on claim construction issues. The parties also agreed to submit objections, if any, to this report to Your Honor.

The parties note that this issue first arose during the initial case management conference when Magistrate Reyes asked the parties whether they planned to seek a claim construction ruling from Your Honor or from Magistrate Reyes. (Dkt. 32, Tr. 12:25-13:8.) The parties recently began the claim construction process, and have agreed to the report and objection procedure noted above. This agreement was conveyed to Magistrate Reyes during a July 24, 2009 telephonic status conference, and at Magistrate Reyes' request the parties submit this letter seeking Your Honor's approval.

The parties are available to discuss this matter at Your Honor's convenience.

Respectfully submitted,

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Cc: Magistrate Judge Ramon E. Reyes, Jr. (*via courier*)
All counsel of record (*via email*)